

AN ORDINANCE

01- 0 -0709

BY: COUNCILMEMBERS CLAIR MULLER AND CATHY WOOLARD

AN ORDINANCE TO AMMEND THE CITY OF ATLANTA CODE OF ORDINANCES SECTION 74-43(3)o. BY INCREASING THE REQUIREMENT FOR A STREAM BANK BUFFER FROM 25 FEET TO 75 FEET.

WHEREAS, the City of Atlanta is committed to protecting the water quality in streams within its jurisdiction; and

WHEREAS, vegetated buffers along stream banks serve to reduce the velocity of storm water entering the stream, thus decreasing its erosive force; and

WHEREAS, vegetated buffers along stream banks serve as a filter for storm water, thus reducing the amount of suspended solids entering the stream and consequent siltation; and

WHEREAS, vegetated buffers along stream banks provide a shade canopy, thus improving the habitat for aquatic life; and

WHEREAS, in an effort to increase the benefits of vegetated buffers along stream banks, it is desired to increase the width of undisturbed stream bank buffers required within the city limits; and

WHEREAS, this revision of the requirements of a stream bank buffer fulfills the requirements of the Metropolitan River Protection Act O.C.G.A. §12-5-440.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That Section 74-43(3)o. of the City of Atlanta Code of Ordinances; i.e.,

Land disturbing activities shall not be conducted within 25 feet of the top of the nearest bank of any state waters except where the EPD determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the EPD pursuant to O.C.G.A. §12-2-8, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented; provided, however, that buffers of at least 25 feet established pursuant to the Metropolitan River Protection Act shall remain in force unless a variance is granted by the EPD;

shall be amended by deleting it in its entirety and then substituting it with:

Land disturbing activities shall not be conducted within 75 feet of the top of the nearest bank of any state waters except where the EPD grants a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the EPD, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented.

SECTION 2: That Section 74-70(c)(9) of the City of Atlanta Code of Ordinances; i.e.,

Delineate the 25-foot undisturbed vegetative buffer adjacent to state or city waters.

shall be amended by deleting it in its entirety and substituting it with:

Delineate the 75-foot undisturbed vegetative buffer adjacent to waters of the state.

SECTION 3: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

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- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 5/7/01

Referred To: zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
- Readings
- ☐ Consent ☐ V Vote ☐ RRC Vote

CERTIFIED

MAYOR'S ACTION